

AO 247 (02/08) Order Regarding Motion for Sentence Reduction

FILED OCT 19 11 35 AM '08  
 UNITED STATES DISTRICT COURT  
 for the  
 District of Oregon

United States of America )  
 v. )  
 Thurman Marcelle Carson, Jr. ) Case No: CR 02-323-01-RE  
 ) USM No: 63185-065  
 Date of Previous Judgment: 11/13/2003 ) Stephen R. Sady  
 (Use Date of Last Amended Judgment if Applicable) ) Defendant's Attorney

**Order Regarding Motion for Sentence Reduction Pursuant to 18 U.S.C. § 3582(c)(2)**

Upon motion of ☒ the defendant ☐ the Director of the Bureau of Prisons ☐ the court under 18 U.S.C. § 3582(c)(2) for a reduction in the term of imprisonment imposed based on a guideline sentencing range that has subsequently been lowered and made retroactive by the United States Sentencing Commission pursuant to 28 U.S.C. § 994(u), and having considered such motion,

**IT IS ORDERED** that the motion is:

☐ DENIED. ☒ GRANTED and the defendant's previously imposed sentence of imprisonment (as reflected in the last judgment issued) of 102 months is reduced to 78 months.

**I. COURT DETERMINATION OF GUIDELINE RANGE** (Prior to Any Departures)

Previous Offense Level: <u>28</u>	Amended Offense Level: <u>26</u>
Criminal History Category: <u>III</u>	Criminal History Category: <u>III</u>
Previous Guideline Range: <u>97</u> to <u>121</u> months	Amended Guideline Range: <u>78</u> to <u>97</u> months

**II. SENTENCE RELATIVE TO AMENDED GUIDELINE RANGE**

- ☐ The reduced sentence is within the amended guideline range.  
☒ The previous term of imprisonment imposed was less than the guideline range applicable to the defendant at the time of sentencing as a result of a departure or Rule 35 reduction, and the reduced sentence is comparably less than the amended guideline range.  
☐ Other (explain):


**III. ADDITIONAL COMMENTS**

Except as provided above, all provisions of the judgment dated 11/13/2003 shall remain in effect.

**IT IS SO ORDERED.**

Order Date: 03-19-08

Effective Date: \_\_\_\_\_  
 (if different from order date)

  
 \_\_\_\_\_  
 Judge's signature  
 James A. Redden, District Court Judge  
 \_\_\_\_\_  
 Printed name and title